

Message Text

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ACTION EUR-12

INFO OCT-01 ISO-00 SCS-03 SCA-01 DHA-02 L-03 H-02 SSO-00

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O 140945Z AUG 75

FM AMEMBASSY BELGRADE

TO SECSTATE WASHDC IMMEDIATE 3840

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E.O. 11652: N/A

TAGS: CASC, YO (TOTH, LASZLO)

SUBJECT: SITUATION AMCIT TOTH

REF: BELGRADE 4147, STATE 189451

1. CONOFF INFORMED AUGUST 12 BY FSFA CONSULAR OFFICIALS THAT TOTH IS CONSIDERED BY GOY TO BE YUGOSLAV CITIZEN AND THAT THEREFORE FSFA COULD NOT ARRANGE CONSULAR ACCESS WITH AUTHORITIES IN VRBAS. OFFICIAL ADDED THAT SUBJECT BEING INVESTIGATED FOR "POLITICAL" OFFENSE.

2. IN RESPONSE TO PROTEST THAT TOTH ALSO U.S. CITIZEN, CONOFF WAS ADVISED TO READ PRO MEMORIA OF AUGUST 1, 1974, WHICH IS DEFINITIVE GOY WORD ON SUBJECT. IMPLICATION WAS THAT TOTH CASE NOT REPEAT NOT NON-POLITICAL AND THEREFORE PRO MEMORIA'S LIMITED CONCESSION FOR CONSULAR ACCESS TO DUAL NATIONALS NOT APPLICABLE.

3. POL COUNSELOR AND CHIEF CONSULAR SECTION CALLED ON FSFA AMERICAN DESK OFFICIAL KELIC AUGUST 13 TO CONVEY AMBASSADOR'S CONCERN. EMBOFFS NOTED EMERGING PATTERN OF OFFICIAL YUGOSLAV TREATMENT OF VISITING US CITIZENS OF YUGOSLAV ORIGIN, POINTING OUT THAT AMBASSADOR VIEWED CASES SUCH AS TOTH AS INCONSISTENT WITH LANGUAGE IN FORD-TITO JOINT STATEMENT RE AMERICANS OF YUGOSLAV ORIGIN. EMBOFFS SAID TOTH CASE PARTICULARLY INEXPLICABLE, THAT IT DIFFICULT TO BELIEVE THAT TAKING PHOTOGRAPHS

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INSIDE SUGAR FACTORY CONSTITUTES OFFENSE. EMBOFFS ADDED THAT THERE

ALREADY CONGRESSIONAL INTEREST IN CASE AND THAT THERE COULD BE MORE WITH MAJOR CONGRESSIONAL (ALBERT CODEL) DELEGATION DUE IN BELGRADE NEXT WEEK. EMBOFFS AGAIN ASKED FOR IMMEDIATE CONSULAR ACCESS AND STRONGLY URGED EARLY RELEASE OF TOTH.

4. RESPONSE WAS LARGELY NEGATIVE. FSFA OFFICIAL THANKED AMBASSADOR FOR HIS CONCERN AND VIEWS BUT STATED FIRMLY THAT TOTH IS YUGOSLAV CITIZEN AND THAT EMBASSY COULD NOT BE PERMITTED CONSULAR ACCESS. OFFICIAL AGAIN CALLED EMBASSY ATTENTION TO PRO MEMORIA AND REPEATED THIS FINAL GOY WORD ON SUBJECT DUAL NATIONALS. WHEN EMBOFFS MENTIONED POSSIBILITY OF MORE EXPLICIT WARNING BY USG OF POTENTIAL PROBLEMS TO DUAL NATIONALS, FSFA OFFICIAL SAID IN EFFECT "GO AHEAD - WE DON'T WANT OR NEED THAT KIND OF TOURIST." AT END OF CONVERSATION OFFICIAL DID PROMISE TO "LOOK INTO CASE FURTHER", BUT ADDED PERSONAL ADVICE NOT TO "WASTE" TIME ON SUCH CASES.

5. GIVEN SAME REPLY BY CONSULAR AND POLITICAL DESKS, EMBASSY IS NOT OPTIMISTIC ABOUT ACCESS TO TOTH. WITHOUT ACCESS WE CANNOT GIVE FIRST-HAND REPORT REQUESTED REFTEL.

6. TOTH'S SISTER CAME TO EMBASSY AUGUST 13 TO REPORT CASE. SAID SHE FRIGHTENED AND HAD REQUESTED PERMISSION OF AUTHORITIES IN NOVI SAD TO VISIT EMBASSY. SISTER SAID TOTH NOT PERMITTED TO CONTACT EMBASSY ABOUT A LAWYER, SO SHE HAD HIRED LAWYER TO REPRESENT TOTH. ACCORDING TO LAWYER (MILAN RAPAJIC, STRAZILOVSKA #7, NOVI SAD, PHONE 021-25-318), TOTH QUESTIONED FOR FOUR HOURS AUGUST 13 IN NOVI SAD. LAWYER NOT PRESENT.

7. SISTER SAID TOTH TO BE MOVED FROM NOVI SAD TO BELGRADE TO "STATE SECURITY" IN ORDER CONDUCT "CLOSED" INVESTIGATION.

8. WE WILL CONTINUE TO KEEP IN CLOSE TOUCH WITH TOTH'S LAWYER AND WILL OF COURSE REPORT ALL FURTHER DEVELOPMENTS. WE ARE NOT OPTIMISTIC ABOUT GETTING MUCH ADDITIONAL INFORMATION FROM FSFA BUT WILL CONTINUE TO KEEP THEIR FEET TO THE FIRE.
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